

**United States District Court
Northern District of New York**

DAVID G.,)	Case 5:24-cv-00530-GTS-MJK
<i>Plaintiff,</i>)	
)	
vs.)	
)	
CAROLYN COLVIN, ¹)	Stipulation – Document Filed Electronically
Acting Commissioner of)	
Social Security,)	
<i>Defendant.</i>)	

Parties’ Stipulation for Remand

The parties stipulate that, pursuant to the fourth sentence of 42 U.S.C. § 405(g), the Commissioner’s final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings. The parties agree that on remand, the Commissioner will offer Plaintiff an opportunity for a hearing, take further action as necessary to complete the administrative record, and issue a new decision on whether Plaintiff was disabled prior to August 6, 2023. The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

CAROLYN COLVIN,

DAVID G.

By Her Attorneys,

By His Attorney,

Carla B. Freedman,
United States Attorney

Justin Goldstein

/s/ Shannon Fishel
Shannon Fishel
Special Assistant United States Attorney
Office of Program Litigation, Office 2
Office of the General Counsel
Social Security Administration

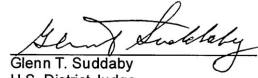
/s/ Justin Goldstein
Justin Goldstein
Hiller Comerford Injury & Disability Law
Attorney for Plaintiff
6000 N. Bailey Ave., Suite 1A
Amherst, NY 14226

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O’Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

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IT IS SO ORDERED:



Glenn T. Suddaby
U.S. District Judge

Dated: 1/28/2025
Syracuse, NY